

**MINUTES
of the
FIRST MEETING
of the
COURTS, CORRECTIONS AND JUSTICE COMMITTEE**

**June 19, 2014
Room 307, State Capitol
Santa Fe**

The first meeting of the Courts, Corrections and Justice Committee (CCJ) was called to order by Representative Gail Chasey, co-chair, on June 19, 2014 at 9:27 a.m. in Room 307 of the State Capitol in Santa Fe.

Present

Rep. Gail Chasey, Co-Chair
Sen. Richard C. Martinez, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Zachary J. Cook
Sen. Linda M. Lopez
Rep. Georgene Louis
Sen. Cisco McSorley
Rep. Jane E. Powdrell-Culbert
Sen. Sander Rue
Rep. Mimi Stewart

Advisory Members

Rep. Kelly K. Fajardo
Rep. Miguel P. Garcia
Sen. Bill B. O'Neill
Rep. Patricia Roybal Caballero

Absent

Sen. Joseph Cervantes
Rep. Yvette Herrell
Rep. Emily Kane
Rep. William "Bill" R. Rehm
Sen. Lisa A. Torracco

Rep. Phillip M. Archuleta
Sen. Craig W. Brandt
Rep. Cathrynn N. Brown
Sen. Jacob R. Candelaria
Rep. Brian F. Egolf, Jr.
Sen. Daniel A. Ivey-Soto
Rep. Antonio "Moe" Maestas
Rep. Paul A. Pacheco
Sen. William H. Payne
Sen. John Pinto
Sen. Michael S. Sanchez
Rep. Sheryl Williams Stapleton

Staff

Douglas Carver, Staff Attorney, Legislative Council Service (LCS)
Caela Baker, Staff Attorney, LCS
Monica Ewing, Staff Attorney, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file.

Thursday, June 19**Welcome and Introductions**

Representative Chasey welcomed the committee and members of the audience, and committee members, staff and members of the audience introduced themselves.

Update on the Progress of the Criminal Justice Reform Subcommittee (CJRS)

Mr. Carver reviewed the work of the CJRS at its November and December 2013 and April and May 2014 meetings. He noted that the subcommittee's next meeting, on June 25, 2014, will focus on mandatory minimum sentences. The CJRS will likely address one topic or theme at each of its 2014 interim meetings. The subcommittee has discussed meeting outside of Santa Fe on a few occasions during the interim but has not determined those meeting locations yet.

Several committee members commented on the work of the CJRS. One member emphasized the CJRS's focus on fact- and evidence-based changes to the state's criminal justice system. South Dakota and Texas have both implemented changes to their criminal justice systems that have resulted in reductions in costs — tens of millions of dollars in South Dakota — and crime. While other states' approaches may not work in New Mexico, the CJRS plans to examine whether expanded probation, parole and community corrections programs could help reduce recidivism rates in New Mexico.

Another member noted that the CJRS is co-chaired by a Democrat and a Republican and its membership includes equal membership from both houses and both parties. The question of whether the state should be working to prevent crime or to punish people was raised by another member.

The committee discussed the role of socioeconomic and cultural factors in addressing criminal justice reforms. A member noted that New Mexico could become the model for how those factors can be incorporated into criminal justice reforms. A member suggested that the CJRS hear about successful prisoner education and job training programs that were implemented in the federal La Tuna prison in the 1970s and 1980s.

2014 Interim Work Plan and Meeting Schedule Development

Mr. Carver noted that because of scheduling conflicts, the locations for the July and October meetings would be exchanged. The committee will likely plan a visit to the former Santa Fe Penitentiary. Finally, he reviewed the CJRS meeting schedule.

The committee then considered the items on the proposed work plan and discussed the addition of several topics, including medical marijuana, community corrections programs and DNA evidence, all of which were added to the work plan. Mr. Carver reviewed each item listed on the proposed work plan, and the committee discussed the following items specifically:

1. **juvenile justice reform** (item #10) — a member noted that the committee would like to work cooperatively with the Children, Youth and Families Department (CYFD) and with a foundation that is helping states with juvenile justice reform in the coming legislative session. With reference to Senate Memorial 69 (2014), the committee discussed a possible study on the education of youth within the juvenile justice system. A member noted that the Albuquerque public school system is already working with educating and testing students who have been suspended or are being held in correctional facilities;

2. **federal Department of Justice report on the Albuquerque Police Department** (item #13) — several committee members commented that they are interested in learning what role the committee might have in improving law enforcement issues throughout the state and specifically in the Albuquerque Police Department. A member highlighted that the legislature plays a role in setting certain statutory law enforcement training requirements. Another member noted that it is critical for the CCJ to be involved in issues that involve constitutional and civil rights. The topic of community policing programs was raised by another member. Finally, a member informed the committee of a pending lawsuit in Washington that involves the propriety of certain criminal justice reforms in that state and stated that the outcome in that case could provide guidance to New Mexico;

3. **issues surrounding child support and child custody** (item #14) — several committee members discussed the importance of examining child welfare and child abuse and neglect in addition to item #14. A member opined that there is an unequal access to justice for families involved in the child welfare system who are unable to pay for an attorney. In response to this discussion, the committee decided to add a new item — an examination of the abuse and neglect system, including what legislative response might be required, whether additional or targeted funding is needed for the CYFD and how retention rates might be improved — to the work plan;

4. **election legislation** (item #16) — members requested presentations from the Secretary of State's Office on Motor Vehicle Division voter registration and about the accuracy of vote counts and from the county clerk's association. This item was amended to include those presentations;

5. **examination of possible legislative responses to bullying** (item #19) — members of the committee expressed interest in hearing from a variety of affected parties, including representatives from schools and the workplace. One member recommended a presentation from an advocate working on bullying and a possible electronic or telephonic resource for people experiencing bullying; and

6. **theft of pallets from businesses** (item #22) — members of the committee discussed whether the issue would be more appropriately addressed by the CJRS because it could involve revising a penalty. Another member stated that the issue is a cultural and social justice issue because pallets are often taken for use in heating homes or building structures.

Before the committee voted to adopt the revised work plan, members of the public were invited to provide comments.

Tony Ortiz, director of the New Mexico Sentencing Commission (NMSC), advised the committee of a report prepared by the NMSC that contains information that might be useful to the committee. He also updated the committee on some of the NMSC's current work.

Susan Loubet, a representative of the New Mexico Women's Agenda, asked the committee to keep Crossroads for Women, a transition program for homeless women, in mind throughout its interim work.

Following public comments, the committee adopted the amended work plan without objection.

Adjournment

There being no further business before the committee, the first meeting of the CCJ for the 2014 interim adjourned at 11:54 a.m.